

ESTTA Tracking number: **ESTTA598820**

Filing date: **04/16/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91209470
Party	Plaintiff J.T. Colby & Company, Inc.
Correspondence Address	CLAUDIA T BOGANOS QUINN EMANUEL URQUHART & SULLIVAN LLP 51 MADISON AVENUE, 22ND FLOOR NEW YORK, NY 10010 UNITED STATES claudiabogdanos@quinnemanuel.com, ulanaholubec@quinnemanuel.com
Submission	Other Motions/Papers
Filer's Name	Claudia T. Bogdanos
Filer's e-mail	claudiabogdanos@quinnemanuel.com
Signature	/Claudia T. Bogdanos/
Date	04/16/2014
Attachments	Colby.PDF(22056 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 85/008,412
Published in the Official Gazette on December 18, 2012
Mark: IBOOKS

J.T. COLBY & COMPANY, INC,)	
)	
)	
)	
-against-)	Opposition No. 91209470
)	
)	
APPLE, INC.,)	
)	
)	

OPPOSER’S UPDATE CONCERNING THE STATUS OF THE CIVIL ACTION

As requested by the Board, Opposer J.T. Colby & Company, Inc. (“Opposer”) respectfully submits this status update to inform the Board that the civil action in federal court for which the instant proceeding was suspended is ongoing. The appeal in that action has been fully briefed, and the Court of Appeals for the Second Circuit has proposed that oral argument be scheduled for June 23-27, 2014. (This date range will likely shift due to scheduling conflicts.) Thus, because the civil action continues, Opposer respectfully requests that this proceeding remain suspended.

Opposer will further update the Board as to the status of the civil action upon its final resolution.

Dated: April 16, 2014

Respectfully submitted,

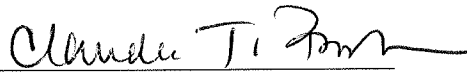
By: /Claudia T. Bogdanos/
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
Robert Raskopf
Claudia T. Bogdanos
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100

ALLEGAERT BERGER & VOGEL LLP
Partha P. Chattoraj
David A. Shaiman
111 Broadway, 20th Floor
New York, New York 10006
(212) 571-0550
Attorneys for Opposer J.T. Colby & Company, Inc

CERTIFICATE OF SERVICE

I certify that on the 16th day of April, 2014, I caused a true copy of the attached Opposer's Update Concerning the Status of the Civil Action, in connection with TTAB Opposition No. 91209470, to be served on Applicant Apple, Inc., by depositing same with the United States Postal Service with sufficient postage as First-class mail in an envelope addressed to the attorney of record for the Applicant as follows:

LISA G. WIDUP
APPLE INC.
1 INFINITE LOOP #MS3TM
CUPERTINO, CALIFORNIA 95014-2083
UNITED STATES



Claudia T. Bogdanos